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Crl.O.P.No.22417 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

**Crl.O.P.No.22417 of 2023
and Crl.M.P.No.15587 of 2023**

J.Sai Sanjay

... Petitioner

Vs.

1. The State rep. by
The Inspector of Police,
Esplanade Police Station,
Chennai.
(Cr.No.7/2023)

2. Senthil.R

... Respondents

Prayer: Petition filed under Section 482 of Cr.P.C., to call for the records in Crime No.7 of 2023 pending investigation on the file of the first respondent police and quash the same in respect of A3.

For Petitioner : No Appearance

For Respondents : Mr.S.Udayakumar
Government Advocate (Crl.Side) for R1



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ORDER

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The petition to quash the FIR.in Crime No.7 of 2023 registered by the Flower Bazaar Police for the alleged offence under Sections 8(c), 22(b), 25 of NDPS Act. The petitioner herein is the 3rd accused named in the FIR.

2. According to the First Information Report, during the raid on 18.01.2023, this petitioner along with two others was found in possession of prohibited psychotropic substances and methamphetamine and therefore was arrested. In the quash petition, it is contended that the petitioner was pursuing B.Sc Visual Communication at the time of arrest. He was engaged in preparing the project work along with his friends. While so, he came to the beach in a two wheeler along with A1 and A2, the respondent police intercepted the vehicle and enquired about them and the vehicle. When the respondent police was asked for the original RC book, the petitioner replied that the original RC book is in his house and he can produce it if, permitted go to the house and collect the same, before he could reach his home to collect RC book, the second respondent called him over the phone and asked him to come to the Esplanade police station as no more documents required.



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Thereafter the case has been foisted against him and therefore it has to be quashed. The counter case narrated by the petitioner herein is contrary to the facts found in the FIR, which is true could be tested only in the full course of trial and not summarily in a quash petition. Therefore, the Criminal Original Petition is dismissed.

3. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

04.10.2023

drl

To

1. The Inspector of Police,
Esplanade Police Station,
Chennai.
2. The Public Prosecutor,
High Court, Madras.



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DR.G.JAYACHANDRAN, J.

drl

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